

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

OPEN SOCIETY JUSTICE
INITIATIVE,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE, DEFENSE
INTELLIGENCE AGENCY, UNITED
STATES INDO-PACIFIC COMMAND,
DEPARTMENT OF STATE,
DEPARTMENT OF TREASURY, OFFICE
OF THE DIRECTOR OF NATIONAL
INTELLIGENCE, and CENTRAL
INTELLIGENCE AGENCY,

Defendants.

No. 20 Civ. 5096 (JMF)

OPEN SOCIETY JUSTICE
INITIATIVE,

Plaintiff,

v.

DEPARTMENT OF HEALTH AND
HUMAN SERVICES, CENTERS FOR
DISEASE CONTROL AND PREVENTION,
FOOD AND DRUG ADMINISTRATION,
NATIONAL INSTITUTES OF HEALTH,
NATIONAL INSTITUTE OF ALLERGY
AND INFECTIOUS DISEASES,
DEPARTMENT OF HOMELAND
SECURITY, and FEDERAL EMERGENCY
MANAGEMENT AGENCY,

Defendants.

No. 20 Civ. 6359 (JMF)

STIPULATION OF VOLUNTARY DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)

WHEREAS, Plaintiff Open Society Justice Initiative (“Plaintiff”) filed the operative complaints in the related, above-captioned actions (the “Actions”) on or about July 2, 2020 (No. 20 Civ. 5096), and August 21, 2020 (No. 20 Civ. 6359), asserting claims for certain records and fees under the Freedom of Information Act, 5 U.S.C. § 522 (“FOIA”) against Defendants (in No. 20 Civ. 5096) the Department of Defense, Defense Intelligence Agency, United States Indo-Pacific Command, Department of State, Department of Treasury, Office of the Director of National Intelligence, and Central Intelligence Agency (“CIA”); and Defendants (in No. 20 Civ. 6359) Department of Health and Human Services, Centers for Disease Control and Prevention, Food and Drug Administration, National Institutes of Health, National Institute of Allergy and Infectious Diseases, Department of Homeland Security, and Federal Emergency Management Agency (collectively, “Defendants”);

WHEREAS, during the pendency of this litigation, Defendants, with the exception of the CIA, which issued a *Glomar* response, have processed and produced thousands of pages of records in response to Plaintiff’s FOIA requests; and

WHEREAS, as a result of these productions, Plaintiff now wishes to voluntarily discontinue the Actions;

IT IS NOW HEREBY STIPULATED AND AGREED AS FOLLOWS:

The Actions shall be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) without costs and without attorneys’ fees or conferral of prevailing party status pursuant to FOIA or any other federal statute.

Dated: New York, New York
November 3, 2022

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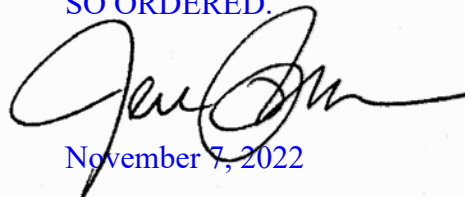
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SO ORDERED.


November 7, 2022